

Personality of The New Supreme Court Justice



YOU'VE won the judge's ermine robe; You've taught your name to half the globe; You've sung mankind a deathless strain; You've made the dead past live again; The world may call you what it will, But you and I are Joe and Bill.

So sang the immortal "Poet of the Breakfast Table" in what many regard as one of his minor poems, but one overflowing with the wit and genial bonhomie for which its author was well known. At the time these lines were indited the since celebrated son of Oliver Wendell Holmes, world famous poet and essayist, had not "won the judge's ermine robe," though he had begun the career that has brought him the honor to which all of his profession may well aspire.

It today Justice Oliver Wendell Holmes, recently appointed associate justice of the United States supreme court by President Roosevelt, has any regrets, chief among them doubtless is the fact that his lamented father could not have lived to witness his triumph, for the aged doctor had such a genuine, almost childlike pride in his talented son that he glories in his every triumph.

When at the age of only twenty Oliver Wendell Holmes the junior left home and college just before the time he was to graduate and went to war, his father's heart was filled with joy and pride, and when the son was promoted to a captaincy no one acquainted with the "Autocrat of the Breakfast Table" was allowed to be ignorant of the fact. "My Hunt After the Captain" is the title of an entertaining paper he wrote after the war was over, and which narrates how he found his son after he had been severely wounded in battle. Young Holmes served three years in the Massachusetts volunteers and was thrice wounded—once in the breast at Bull's Bluff, October, 1861; in

the neck at Antietam, September, 1862; and in the heel at Fredericksburg, May, 1863. It was of his second wounding that the doctor wrote:

Hearts in dread anticipation of the tidings any hour might bring. This was the telegram: "Captain Holmes wounded. Shot through the

him, even my firstborn, whom I had sought through many cities. "How are you, boy?" "How are you, dad?"

came his shaggy old Uncle Esau so entirely that he fell on his brother's neck and cried like a baby in the presence of all the women."

He is scholarly without being in the strictest sense "literary," and he has not followed in his worthy parent's footsteps to the extent of writing poetry. Born in 1841, Justice Holmes graduated from Harvard college in 1861 at the age of twenty, and after three years of fighting he returned to Cambridge and entered the Harvard law school, engaging in practice in Boston after his graduation.

It is something that Justice Holmes has not allowed himself to be overshadowed by the fame of his father, since to be the son of a man already great is often merely to dwell in the deadly shade of the upas tree and a blight upon ambition. While he has not entered upon the field of literature per se, Justice Holmes has yet made a reputation as an author, having several volumes of lawbooks and speeches to his credit and has edited "Kent's Commentaries" (now in their twelfth edition) to the satisfaction not only of his professional brethren, but of the general critics as well. Without displaying the rippling, spontaneous wit which distinguished the speech and writings of the senior Holmes, the justice possesses that "mother of wit," sound common sense, and occasionally lets a thought escape him which reminds one of his renowned paternity.

In deciding a case where a policeman had been removed for exercising a "pernicious activity" in politics he remarked: "Every citizen has a constitutional right to be a politician, but every citizen has not a constitutional right to be a policeman." "A bad man has as much reason as a good one for wishing to avoid an encounter with the police."

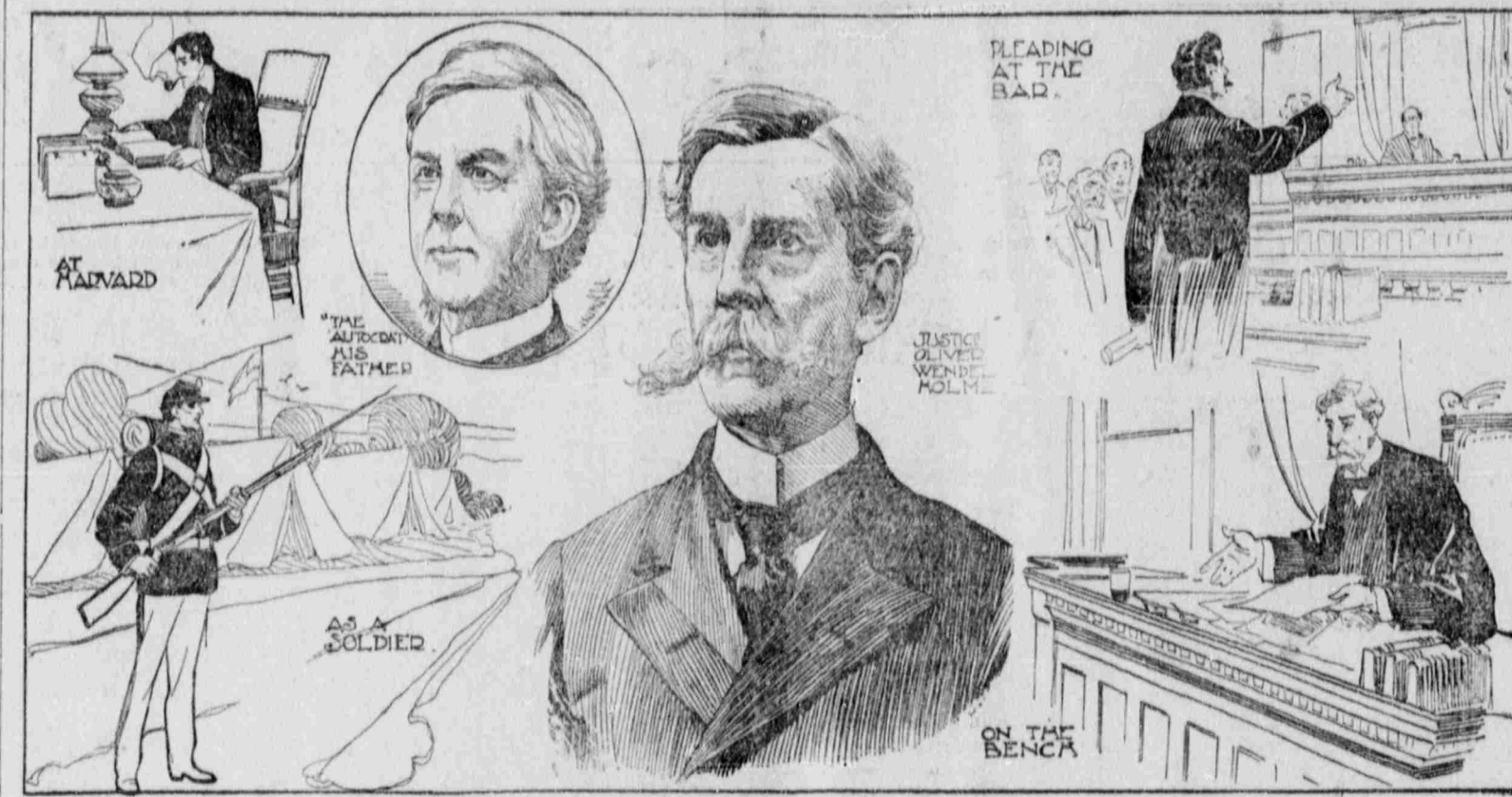
"What have we better than a blind guess to show that the criminal law in its present form does more good than harm?"

Justice Holmes spends his summers at the home in Beverly Farms, Mass., formerly occupied by his father, where

he works most of the time and reads diligently, taking very little outdoor exercise. He does not look the sixty-one years with which he is charged, his tall and slender figure being yet erect, though with the scholar's stoop to the somewhat narrow shoulders. His face is keenly intellectual, as one would expect to find in the son of Holmes, the metaphysician; his cheekbones high, brow adorned with wavy iron gray hair and the sensitive mouth shaded by a thick, long and silvery white mustache. His speech is slow and methodical, the voice well modulated and with a distinctive drawl, though the words are always clearly enunciated. As the only surviving son of the poet, the family line would seem to end with Justice Holmes, as he and his wife have no children. With their summer home fixed in the center of Massachusetts' most aristocratic colony, they live quietly and without taking a prominent part in the social life of the "North Shore." O'Connell takes very little, being content with a short ramble along the beautiful shore or through the magnificent woods that almost surround his summer retreat at Beverly Farms. He once indulged, it is said, in mountain climbing and bicycling, but has of late abjured those recreations almost entirely.

Justice Holmes, like his predecessor, Justice Gray, was born in Boston, that city so famous by his father's burlesque title, "Hub of the Universe." And, like him, he is conservative, though more than suspected of a leaning toward liberalism in his views of the relations that should exist between capital and labor. Of the nine justices on the supreme bench at Washington six are older than Justice Holmes and two are his juniors. He will occupy a seat at the extreme left of Chief Justice Fuller and Justice McKenna will sit at the extreme right.

CHANNING A. BARTOW.



"In the dead of the night which closed upon the bloody field of Antietam, my household was startled from its slumbers by the loud summons of a telegraph messenger. The air had been heavy all day with the rumors of battle, and thousands and tens of thousands had walked the streets with throbbing

neck. Thought not mortal. At Keedyville. The poet-doctor went at once in search of his wounded son and finally came across him unexpectedly on a train bound for Harburg. "In the first car on the fourth seat to the right I saw my captain; there I saw

"Such are the proprieties of life as they are observed among us Anglo-Saxons of the nineteenth century, decently disguising those natural impulses that made Joseph, the prime minister of Egypt, weep aloud so that the Egyptians and the house of Pharaoh heard—nay, which had once over-

A larger and, it may be said without prejudice, a handsomer man than his father, the present Oliver Wendell Holmes has a striking and winning personality. He is gentle and courteous, genial and company loving, as good an after dinner speaker as his father was and in his way quite as en-

The Marlboroughs And Their Home At Blenheim

THE Duchess of Marlborough has descended to visit the United States for the first time since her marriage, by the way, and is being royally received by society. Whether she stay long or short, she will likely, in view of the probable appointment of her husband as governor general of Australia, not soon honor us again with her presence, and a few facts about her and the family she married into will be of interest. She departed in 1895 a blushing and beautiful bride; she returns to the home of her people the mother of two boys, the recognized heirs to one of the proudest titles in England.

It is just 200 years since John, the son of Sir Winston Churchill, was created first Duke of Marlborough and only seven years since the ninth Duke of Marlborough proposed to young and lovely Consuelo Vanderbilt, yet perhaps more has been written about the fair American duchess than anent the doughty warrior who founded the dual house she was the means of rehabilitating. It is a matter of ancient history, that a woman secured the advancement of the great first duke and consequently was the real founder of the house. And it is a matter of recent history that two American women were the means of rescuing the modern dukes from the balliffs and setting their fortunes aright.

To go back to the beginning again, while John Churchill was a valiant fighter and as a courtier fawned upon the king, he owed more to the influence of his sister Arabella, the Duke of

York's favorite, and to the intriguing of Sarah Jennings, who became his wife, than to any real merit of his own. Women, in fact, have played a prominent part in the fortunes of the Marlboroughs from first to last. The first duke founded his fortunes with a gift of £1,000 from the Duchess of Cleveland. His wife pushed his cause with Queen Anne when Marlborough was away in the field, and between the two the victor of Blenheim received perhaps far greater reward for doing his duty by his king and country than any other soldier who ever led a British army.

Dying, the first duke left no son to inherit his titles and magnificent properties, and a daughter succeeded to the same, both finally descending in a roundabout way, mainly through female heirs, to the present bearer of the title and owner of the vast estates. And, coming to times more recent, magnificent Blenheim, the ancestral seat of the Marlboroughs, which was secured from Queen Anne ostensibly as a gift from a grateful nation, was practically saved to its owners through two fortunate marriages with American heiresses. There have been few great Marlboroughs since the first of the line dashed across the world's horizon, and the eighth, father of the present duke, was no exception to the rule. Having secured a divorce from his wife, mother of his four children, he married a beautiful American widow, Mrs. Hammersly, who devoted a large portion of a vast fortune to rebuilding and refurbishing Blenheim, the dual family seat. All the interest she had acquired in the estate she had generously turned over to the present duke when he succeeded his father in 1892. But even after all this expendi-



ture there was need for millions more, and the alliance of the dual house in 1895 with one of America's richest families was a very fortunate occurrence, considered as a financial venture merely. There were those who predicted nothing but dire happenings from the marriage of two young people both of whom had been deprived of the guidance of their parents by divorce. Nothing but good fortune, however, has attended them since. In addition to the marriage portion that the fair Consuelo



brought her husband, he has, it is said, received more than a million since from her father, W. K. Vanderbilt, while, as all the world knows, Blenheim has been more than restored to its ancient beauty and proportions. Queen Anne's original gift to the



Duke of Marlborough for the creation of a palace was £600,000 and Sir John Vanbrugh, a famous architect of the time, produced the grand pile that eclipsed many palaces of Europe. It is 348 feet in extent from wing to wing, built mainly in the neoclassical order, having a central Grecian structure with Doric columns, and, altogether, is too vast for verbal description. Blenheim park, in which the palace stands, is more than twenty-five square miles in area, and the duke is credited with owning about 20,000 acres of land in his various estates; Blenheim being but one of half a dozen residences, though his grandest. Externally attractive, it is also famous for the richness of its interior and for the art and literary treasures it still contains after having been several times rifled by creditors of the Marlboroughs. There are paintings by Titian, Correggio, Paul Veronese, Tintoretto and many other artists whose works are at present all but priceless.

The proprietor of this vast estate, who is also the owner of several other town and country houses, being almost as well provided as royalty itself in this respect, is a young man of thirty-one, modest in demeanor, but with always an eye to the main chance, as his whole life has shown. He has proved an agreeable disappointment to those who expected him to follow in the footsteps of a long line of dissolute ancestry, and, in fact, both these charming Marlboroughs, the duke and the duchess, have shown that it is possible to be "happy though married" and possessed of enormous wealth.

The duke has not cut such a brilliant figure as his cousin, Winston Churchill—in truth, has cut no figure at all save

as the tractable husband of an American heiress; either in parliament, where his maiden speech was a failure, or in South Africa, where his campaign was far from brilliant. His heir is John Albert Edward William, marquis of Blandford, aged five, who has a younger brother, Lord Ivor Charles, who will be four years old the coming October. JAMES N. BOLDIT.

SNOW STOPS BULLETS.

Experiments which have been made near Christiania, in Norway, with the Krug-Jorgensen rifle seem to show that during a winter campaign snow can be used most effectively by the soldier. The experiments showed that a bullet from this rifle could not penetrate snow more than a yard and a half. The same result was obtained no matter from what distance the shot was fired. Military experts consequently point out that snow offers more resistance to the penetration of such a bullet than any kind of wood and almost as much as earth and that therefore it might be advisable whenever it is possible to use snow as a material for intrenchments and other works during a campaign.

THE CZAR'S DOCTORS.

The czar has a larger number of physicians in attendance than any other sovereign in the world. There are no fewer than twenty-four, and, needless to add, they are selected from among the most celebrated doctors of Russia. There is, first, a physician in chief; then come ten honorary physicians and four honorary surgeons, two oculists, a chiropodist and an honorary chiropodist, two court physicians, and three specialists for the czarina.

The United States Army And Navy In Mimic War

THE intention of the government that its plans for war maneuvers on a grand scale should not get to the public before it was ready to promulgate them was admirably carried out. The mobilization of ships and troops was actually in progress before the people were aware of what was going on. So a part of Secretary Moody's scheme was successful at the outset, and a vast movement was inaugurated without the press and the people becoming cognizant of the full scope of his plans. Uncle Sam has shown that he can not only keep a secret, but that he can invent plausible stories to fit almost any case where a necessity exists for throwing the enemy off their guard.

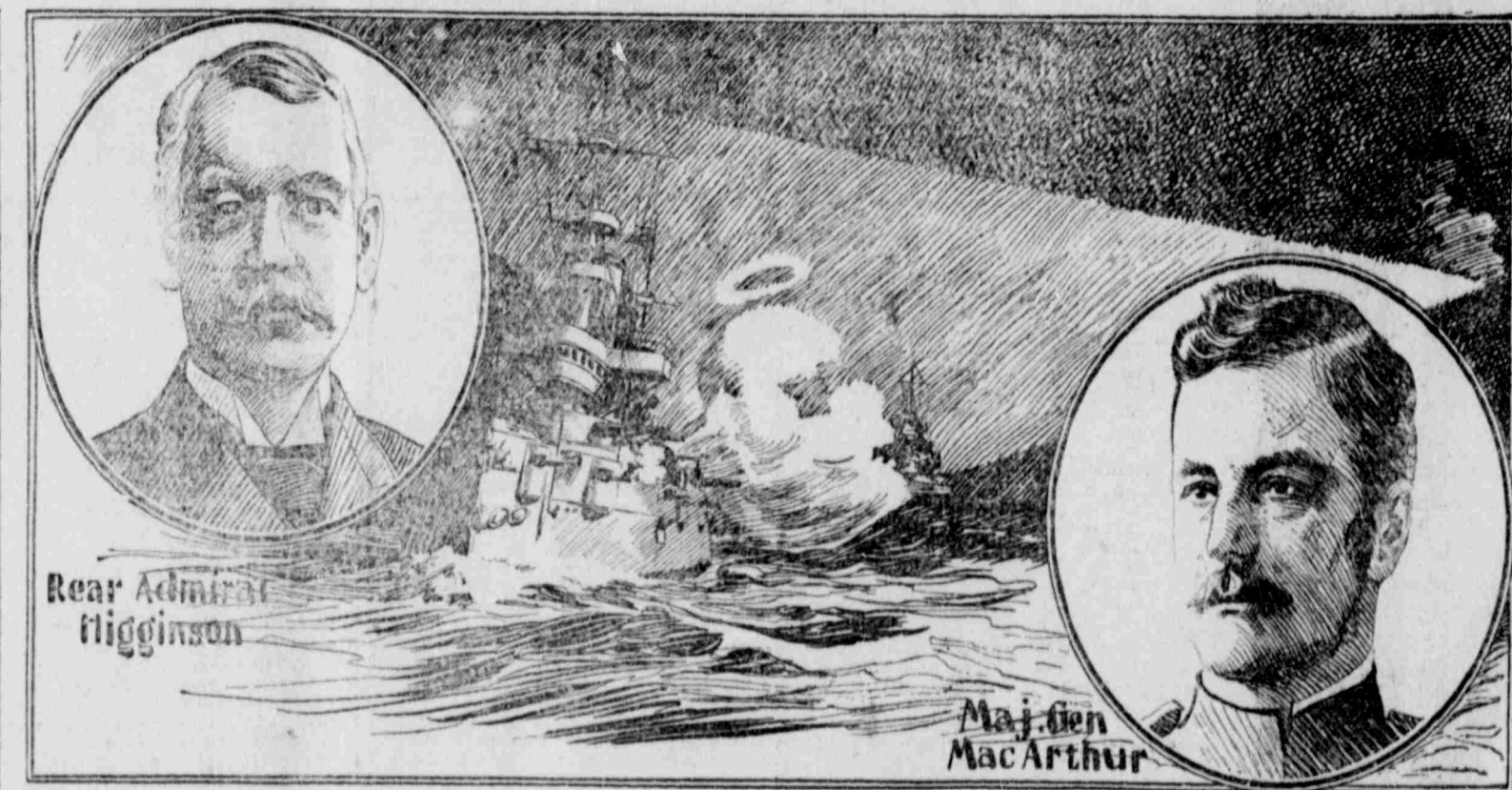
Even the recently completed maneuvers of the blue squadron under Admiral Higginson and the white squadron under Commander Pillsbury have been only a ruse de guerre to remove the present "enemy"—that is, Higginson and the fleet—to a distance from the coast and enable the land forces to prepare without the possibility of their plans becoming known to the attacking navy.

Score one for Uncle Sam, for one of the greatest things in actual warfare is to throw dust in the face of the enemy. Make him think you are going to do one thing and then march out and do another, incidentally "doing" the enemy at the same time. So in the game of mimic warfare, which is ostensibly to extend from the first of August to the 6th of September, inclusive, if anything is realized from this vast expenditure of treasure for firing off guns loaded with blank cartridges and sending tons of powder into space it will be the value of strategy and tactics. Incidentally

there will be a grand opportunity for the "carpet knights" to display themselves and their gorgeous uniforms, and the "summer boarders" all along the Long Island sound, from Massachusetts to New York, will be vastly entertained.

The field of operations for the greatest war game ever played (for fun) in the United States is to be limited to the coast and sea between New Bedford, Mass., on the east, and the islands stretching across Long Island sound on the west, or what may be called the eastern defenses of New York city. The attack upon the line of fortifications formed by Fisher's, Plum and Gull Islands, which collectively form part of the eastern defenses of New York city, will be made some time during the week of Aug. 31-Sept. 6 and may be by day or by night, but at all events it will probably be preceded by an attack upon New London or Newport in order to establish a base of supplies. But as there are exceedingly strong forts and shore batteries all along the coast at points likely to be of strategic value and suitable for defense, the establishing of the requisite base may be a very difficult operation. It will be a matter of pride with our army to establish the fact of our coast's practical impregnability, but at the same time it will be to our future benefit to ascertain its weak points now in case actual warfare shall be forced upon us.

Under Rear Admiral Francis J. Higginson, commanding the north Atlantic squadron, are the battleships Kearsarge, flagship, the Massachusetts, Alabama and Indiana; the armored cruiser Brooklyn, flagship of Rear Admiral Coghlan; the monitor Puritan and other warships, as the Olympia, Cincinnati, Newport, Scorpion, Panther, Prairie, Montgomery and probably some of the crack cruisers, battleships, torpedo



boats and destroyers which are thought by the uninitiated to be far distant from the scene of prospective operations. Much mystery has shrouded the movements of the fleet, but hardly less than has involved those of the army and the defenders of the forts, the signal service men and those charged with the submarine defenses. Just what sort of a reception awaits the fleet on its arrival is known only to the gallant sol-

diers under General Arthur MacArthur, so recently in the Philippines and now commanding in the department of the east, with his headquarters at Governors Island, New York harbor. All told, there are to be about 10,000 men engaged, pretty evenly distributed between army and navy, comprising not only regular troops, sailors and marines, but naval militia from New York, Connecticut and Massachusetts.

Many misleading reports have been set adrift as to the condition of our coast fortifications, the weakness of the forts, the backwardness of military preparations, etc., and, on the other hand, there is a cloud of obfuscation around the movements of the navy. Only the military and naval "sharps" or experts will be able to draw the proper inferences from all the reports floating about for the purpose of divert-

ing attention from the real objects of attack and the vessels making the assaults.

These same experts will be pressed into service as umpires, as upon their decisions, and not upon the actual results, depend the fact of a ship being "put out of action" or of a fort being "taken."

It is estimated that several million dollars will be spent in ascertaining if

our soldiers and sailors can defeat each other in a sham fight. The skilled strategists of both army and navy seem firm in the belief that the capture of Fort Adams, opposite Newport, and the consequent conquest of the territory adjacent which is chiefly occupied by that select contingent known as the Four Hundred will be necessary to the complete subjugation of New York. Torpedo practice has been going on in Newport harbor for some time, and the garrisons of the Narragansett district (as the Newport region is called) have been strongly re-enforced. Our commanders probably realize that while the Newport colony of millionaires would be, as Blucher said of London, magnificent for loot, its capture would give the attacking party in this mimic warfare only a tactical advantage.

It is possible that a demonstration may be made against New York's main defenses at and inside of Sandy Hook, but there seems to be no serious intention of this, the situation not being so favorable to strategic operations as that in Long Island sound. Actual bombardment of land fortifications by warships has not been productive of great results in recent years, as was shown by the futile bombardments of San Juan, Porto Rico, and Morro Castle at the mouth of Santiago harbor. There is vastly greater danger to the ships than to the forts, and hence the inmates of the latter feel quite confident that the threatened "invasion" will be easily repelled and that foreign powers will be informed that our coasts are practically impregnable. This is what it is hoped will be done, as the ships and forts belch forth smoke and sound, war balloons ascend from various points and searchlights illumine the coast within the strategic zone, converting night into day.

WALTER A. WIBERLEY.

TALK OF MANY STATIONS.

The largest oyster ever found on British shores was dredged up off Christchurch head. It weighed three and one-half pounds and measured seven inches across.

There is a revival of interest in old fashioned cameo jewelry this year.

One of the large manufacturing houses in New York says that it has done more

work altering and restoring old cameo jewelry this year than it has for twenty years.

Oklahoma has 125 state banks and 25 national banks, with a total deposit of \$15,599,000. The population of the territory is estimated at 78,000.

The lakes on the Mangochale peninsula, in the Caspian sea, are what

smelling owing to the presence of violet scented seaweed.

The eyeball is white because its blood vessels are too small to admit of the red corpuscles of the blood passing through them.

The great lugaboo of the London Central railway seems to be fire. All the

in their order, Iowa, Illinois, Missouri, Nebraska, Indiana and Kansas. Iowa, with 9,223,791, has 15.7 per cent of all the hogs in the United States, and they constitute nearly one-fifth of the wealth of the state.

St. Louis enjoys the distinction of furnishing a French audience whenever a Frenchman of eminence visits that city who can understand and appreciate what he says. New Orleans and

New York are the only cities in the United States that can do it.

A railroad engine may roughly be said to be equal in strength to 500 horses.

The voters' lists for Paris as revised show the total number of electors in the capital to be 605,278, as compared with 559,691 last year, an increase of 54,587.

While demolishing an ancient church at Lalinde, near Perigueux, France,

some workmen found an egg, apparently in a perfect state of preservation, imbedded in the mortar of a wall that had been standing fully 500 years.

The Japanese military authorities have asked for permission to receive instruction in methods of preparing for warfare. They will visit the artillery and engineering schools.

A cord of pine wood will give fifty

bushels of charcoal, 1,000 feet of illuminating gas, fifty gallons of oil and tar, five gallons of wood spirits, twenty gallons of spirits of turpentine, twenty pyroigneous acid and various other products.

Portuguese military engineers confirm the report that the Boer prisoners now at Peniche, near Lisbon, have discovered a rich vein of gold in the old abandoned Towar mines.